



ENVIRONMENTAL & REGULATORY SERVICES
PECFA
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Tommy G. Thompson, Governor
Brenda J. Blanchard, Secretary

Wisconsin Department of Commerce Bureau of PECFA

Bid Document

SECTION 1 - Scope of Work:

The Bureau of PECFA is seeking competitive bids to perform remedial action services on a petroleum release from a regulated petroleum product storage tank system. The site upon which bids are being solicited is:

Bid Round Number: 08
Comm Number: 54848-1215-11
BRRTS Number: 03-55-000408
Site Owner: Douglas Richardson
Site Name: Doug's Tire Center
Site Address: 811 W Lake Ave Ladysmith WI

Project Manager: Tom Kendzierski
Project Manager address: 810 West Maple, Spooner, WI 54801
Project Manager phone: 715-635-4057
Project Manager e-mail address <mailto:kendzt@dnr.state.wi.us>

Bid Announcement Date	Monday 05/15/00
Questions or requests for information must be submitted in writing and received by:	Friday 05/26/00 by 16:00 CST
Responses to the questions will be posted (and if requested, sent in writing) by:	Friday 06/16/00
Bid End Date and Time:	Monday 06/26/00 by Noon CST

The site investigation report, upon which bids are being sought, and the successful bid, when determined, are available for inspection at:

Department of Natural Resources, 810 W Maple St Spooner WI

Please contact the project manager listed above for an appointment.

Copies of the site investigation report can be purchased for the cost of reproduction and handling at the following address:

The Copy Shop 310 Stuntz Ave Ashland, WI 54806

Phone: 715-682-6567

Fax: 715-682-6551

SECTION 2 - Site Specific Bid Specification Requirements:

A) Project Manager Comments

1) General Comments:

The former Doug's Tire Center is on the northeast corner of STH 27 and USH 8 in Ladysmith, Rusk County. Nine tanks were removed from this property in May, 1991. Cooper Engineering of Rice Lake conducted a Remedial Investigation in 1991 and 1992, installed three monitoring wells and two free product recovery wells. In 1997, Drake Environmental Inc, installed an interim free product recovery system using Cooper's piping and recovery wells. Approximately 4030 gallons of free product have been recovered as of December 1999.

Drake continued the Remedial Investigation in 1998 with nine additional borings, four of which were completed as wells.

This site may be inter-related with the adjacent sites on the other three corners of the intersection of STH 27 and USH 8. Free product is extensive at two sites at this intersection. To date there has been no inclusive reconciliation or comprehensive review of the data relating the sites on the four corners.

NOTE TO BIDDERS: The files on the sites adjacent to the Doug's Tire are available for review at the WDNR Service Center in Spooner by appointment with the WDNR Project Manager. Copies of the SI reports for the adjacent sites are not available at the Copy Shop.

Investigations at this intersection began with a WDOT investigation report of contamination south of the intersection completed in 1990.

On the northeast corner, the former Jennerman's Amoco BRRS #03-55-000592, has recovered 2243 gallons of free product. Jennerman's investigation has not defined the limits of free product east of the site and under the highway to south. The Jennerman's investigation has not yet defined the limits of dissolved phase contamination.

On the southwest corner, the Weisenberger Realty (aka Helen Rauhut Property) BRRS #03-55-000210, has not documented free product but does have extensive soil and groundwater contamination.

On the southeast corner, the Auto Stop Convenience Store has not reported contamination and has not sponsored an investigation. However, wells placed by Drake behind the curb on the Auto Stop corner south of Doug's Tire do have free product and groundwater contamination. The cafe north of Doug's Tire was reported to have UST's at one time. Drake's SI noted contamination to the east of the Doug's Tire site.

Both Jennerman's Amoco and Weisenberger sites have remedial plans expected to be implemented during the summer of 2000. Jennerman's is under redevelopment as a Convenience Store.

Geology and groundwater flow patterns are fairly complex. Reported water table gradients between adjacent sites have not been consistent. Drake interpreted the water table gradient to be westerly or west southwest. Drake also noted a southerly component expressed by the shape of the free product plume.

Definition of the extent of contamination for Doug's Tire may be interpreted from the data at the sites west and southwest of Doug's. The plume appears to be expanding and the extent has not been completely defined to the north, east and south of Doug's Tire.

WDOT is planning a lane widening, pavement and signal improvement project this summer. Widening may jeopardize some of the site wells presently behind the curb. The road project is an opportunity for access to contaminated soil under the roadway. Questions regarding the WDOT project for purposes of this bid must be directed to Tom Kendzierski, WDNR Project Manager.

2) The following Environmental Factor(s) were identified in the Site Investigation Report for this site:

- ☒ Documented expansion of the plume margin.
- ☐ Verified contaminant concentrations in a private or public potable well that exceeds the preventive action limit established under ch. 160, Stats..
- ☐ Contamination within bedrock or within 1 meter of bedrock.
- ☒ Petroleum product that is not in the dissolved phase is present with a thickness of .01 feet or more, and verified by more than one sampling event.
- ☐ Documented contamination discharges to a surface water or wetland.

3) Minimum Remedial Requirements:

The consultant will coordinate, cooperate and relate the off site investigation and remediation related to the Doug's Tire site with the remedial activities underway by others on adjacent sites at this intersection. Any coordination or access issues That can't be resolved between the respective consultants or the RPs must be brought to the attention of the WDNR and Commerce project managers. Routine monitoring data may be shared if appropriate. Every effort must be made to avoid duplicative effort and costs. Data reasonably expected to be used to document end points and justify closure should be consistent (one consultant, one lab, or consistent protocol, for all critical closure data).

Conduct a petroleum vapor assessment and survey of basements, utilities and other potential receptors of vapors from the Doug's Tire Center site.

Develop and implement a comprehensive remedial options plan for the Doug's Tire Center site.

Actively remove all recoverable free product, including any that exists within the highway right-of-way.

Implement active source control measures for the smear zone after free product removal.

Limited active dissolved phase source reduction of highly contaminated groundwater may be necessary unless it can be shown that appropriate passive options will achieve compliance with NR 140, meet flexible closure options, appropriate institutional controls and the closure criteria in NR 726. Evaluation of natural attenuation as a remedial option should follow WDNR guidance.

A source control action for impacted vadose zone soil is needed to address the groundwater leaching and direct contact pathways. A sufficient number of post remedial soil confirmation samples must be obtained to document residual soil contaminant concentrations. Post-remediation samples must be analyzed for DRO, GRO, VOC, PAH and Lead (Pb). Demonstration of compliance with the requirements of ch. NR 720, Wis. Admin Code (generic RCLs, site specific RCLs and/or a performance standard). This includes impacted soil extending under the roadway, However, a separate remedy or performance standard in the right of way demonstrating compliance with NR 720 may be appropriate.

Lack of access may not be used as sole justification for leaving high level (high risk) contamination in soil or groundwater under the roadway. The roadway will be accessible during construction this summer. The WDNR Project Manager is available to assist with access coordination with WDOT before and after the intersection improvements. Access issues have been discussed with WDOT.

Any existing monitoring wells in the path of the WDOT construction must be abandoned and replaced, or adequately repaired.

An ongoing, comprehensive groundwater monitoring plan must be established, approved, and implemented. The plan will define groundwater flow patterns, monitor free product and dissolved phase plume behavior, evaluate potential impacts to receptors, evaluate appropriate and cost effective remedial options including natural attenuation for the dissolved phase contamination, demonstrate compliance with NR 140 and evaluate flexible closure options.

The monitoring plan should include wells installed and maintained by others on adjacent sites where appropriate.

Install at least one piezometer nest on site and elsewhere as necessary to define the vertical extent of contamination and any vertical components of groundwater flow.

Document stability or reduction of the plume margins to the south, east, north and downgradient (presumed westerly). Since the plume margins appear to be expanding and flow directions are not clearly established, additional wells may be necessary.

Identify and interpret groundwater flow directions and rates. Groundwater elevations should be measured quarterly for at least two years with a reduction after that to coincide with sampling events, or until closure. Groundwater elevation data on adjacent sites and across the intersection may not be shared and must be measured on the same day prior to sampling.

The monitoring plan must should include all wells sampled in the Drake Site Investigation report, the new piezometer(s), selected existing wells off site and down gradient (assumed to be west and southwest) and any new wells necessary to define plume geometry and stability. Wells included in the monitoring plan must be sampled for the presence of free product, water elevation, and VOC. Wells in the vicinity of the free product or high soil concentrations should also have one round of Lead (Pb) analysis at a minimum. Natural attenuation parameters should be added when appropriate or where interference from active remediation has stopped.

Any private or municipal wells identified and determined to be at risk must be sampled for VOC and included in the monitoring plan. Drake identified a private well 250' northwest of the Doug's Tire site. See the Drake SI report.

Progress reports will be submitted to WDNR on a quarterly basis with a summary of activities or problems encountered and a tally of free product removed during the reporting period. An annual report is required. The annual O&M report must use Form 4400-194. The annual report must also include a brief summary of the status of remedial activity by others on the adjacent sites and a discussion relating that activity to progress towards closure of the Doug's Tire Center Site. The annual report must also reconcile groundwater flow patterns and plume geometry across adjacent site boundaries.

B) Bidder's Strategy for Remedial Action

- 1) Identify the remedial strategy for obtaining a closed remedial action status.
- 2) Specifically describe what element of your proposed strategy will address the environmental factors/risk factors listed above. Also describe how, when, and why it will address them.
- 3) Provide a detailed description of the work to be performed. The description shall provide sufficient detail to establish that the proposed strategy will be successful in achieving the closed remedial action status identified above.

- a) The detailed description may include, but is not limited to the following:
- Technologies
 - Estimated years of operation
 - Estimated tons of soil
 - Approximate geometry/depth of excavation
 - Reporting details
 - Estimated years of monitoring
 - Frequency of sampling/# of wells/parameters
- 4) Specifically describe how you will address off-site contamination, if applicable.
- 5) Specifically describe how you will address any direct contact hazards, if applicable.

SECTION 3 - Conditions of Bid:

The successful bidder will be the entity that complies with all provisions of the bid specification and provides the lowest total cost to a defined site closure or no further action required decision. The closure or no further action decision will be made by either the Department of Commerce or the Department of Natural Resources, depending on statutory site assignment. PECFA funding under s. 101.143, Stats., will terminate when the responsible agency determines that institutional controls and notices, if utilized, would achieve a closed remedial status. PECFA funding will terminate regardless of whether the responsible party or other properties accept an institutional controls and notices as required under NR 726. In preparing the bid, the bidder must assume compliance with all applicable codes, including but not limited to Comm 46, Comm 47, and NR 700.

The successful bidder will be determined based upon conformance to and competitiveness under the bid protocol. The first determination will be whether the bidder has complied with all provisions of the bid. These bids will be considered responsive. From the responsive bids, the lowest total cost bid with an approvable approach to bring the site to a closed remedial action or no further action status will be determined.

The successful bid will be available to be viewed at the location identified in Section 1. If two or more bidders tie in the cost comparison, the bid with the lowest consulting cost will be used as the tiebreaker. All bid documents must be signed and sealed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin Department of Regulation and Licensing.

The Department reserves the right to reject any and all bids that meet any of the following conditions:

- The Department believes the remedial strategy is not appropriate to a specific geologic setting.
- From the standpoint of program operations or regulatory responsibility, the Department determines it is in the best interest of the program to not accept any or all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the Department with jurisdiction (Natural Resources or Commerce).

The name of the successful bidder, bid amount, proposed outcome and supporting documentation will be provided to the site claimant along with instructions to inform the PECFA program in writing of their intent to either:

- Use the lowest identified bidder or
- Use another service provider.

In either case, PECFA reimbursement is capped at the dollar amount of the successful bid.

A successful bid does not mean or guarantee that all costs in a resultant claim are eligible, reasonable, necessary or reimbursable under the PECFA program.

If a bidder fails to comply with a bid provision the bid response will be determined to be non-responsive. If the bid response is responsive, but not the lowest cost service provider with an appropriate approach, it will be determined to be “non-successful.” Non-responsive and non-successful bidders will not be individually informed of their failure to achieve compliance with the bid specifications or to be the lowest bidder.

The successful bidder may be required to provide input to, and attend a meeting with the PECFA program and the claimant to explain the bid and the remedial approach.

Appeals, by bidders, of decisions regarding complying bids or costs are not allowed, as they do not constitute claimant reimbursement decisions under the PECFA program.

In compliance with this invitation to bid and subject to all conditions thereof, the signatory agrees to the following:

- If the signatory's bid is determined to be the successful, the signatory must, within 15 days of the Department's notification, contact the claimant and confirm that they will provide the remedial services at the cost described within the Bid Response.
- That for a period of 90 days, starting with the Department's notification to the claimant, the signatory will hold firm their commitment to provide the remedial services and prices set forth in the Bid Response.

Failure to abide with the conditions stated above may result in exclusion from future PECFA Public Bidding events.

Questions, answers and interpretations will be considered an amendment of this solicitation. All answers and interpretations shall be in writing from the PECFA program contact identified in Section 1 of this solicitation. Neither the program nor the Department shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid Ending Date. After the date by which questions must be submitted by, identified in Section 1, no further questions will be addressed.

A written response will be provided at: <http://www.commerce.state.wi.us/ER/ER-PECFA-SiteBidding.html> (and mailed to all requesters of the bid package who are not able to access the web site, and who therefore request written correspondence from the program contact).

SECTION 4 - Closure Specifications:

A bid submitted must provide the total cost, excluding interest but including all closure costs, for the remediation up to approval as a closed remedial action status identified below:

Unrestricted Closure
Closure with a NR 140 exemption
Closure with groundwater use restriction*
Closure with deed notice*
Closure with deed restriction*
Closure with NR 720.19 soil standards
Performance based NR 720.19 closure
Closure with site specific conditions
Closure under NR 726.07
Mass reduction

* **Note:** *PECFA funding under s. 101.143, Stats., will terminate when the responsible agency determines that institutional controls and notices, if utilized, would achieve a closed remedial status. PECFA funding will terminate regardless of whether the responsible party or other properties accept an institutional controls and notices as required under NR 726. PECFA eligible costs may include all closure costs, up to approval as a closed remedial action (i.e. monitoring well abandonment) that are otherwise eligible for reimbursement.*

If the PECFA maximum award for the site/occurrence is not believed to be adequate to remediate the site/occurrence to a closed or no further remedial action status, that belief must be specifically noted in the bid and the remedial effort that will be achieved by the bid amount. For the purpose of the competitive bid the contaminant mass is determined to be; **Not Applicable** . The basis for specifying the progress shall be contaminant mass reduction and be based upon the mass reduction at the following points on the site:

Not Applicable

If the site is reasonably expected to exceed its cap under the PECFA program, bidders may propose mass reduction, the lowest bidder will be determined on the basis of a cost per mass reduction ratio. If some bidders propose mass reduction and others propose costs to bring the site to a closed remedial action or no further action status, selection will be from those bidders proposing a closed or no further action result.

SECTION 5 - Instructions to Bidders:

By submission of a bid, bidder agrees that during the period following issuance of this solicitation and prior to notification of successful bidder, bidders shall not discuss the bid or bid process except with the program contact designated in this solicitation. Bidders shall not discuss or attempt to negotiate with the claimant, other potential bidders or program staff any aspects of the bid without prior approval of the program contact specified. Infractions will result in rejection of the violator's bid and may also result in disqualification of the individual to provide bids and a formal complaint being lodged with the Department of Regulation and Licensing.

The bid submitted shall address all the site specific bid specification requirements identified in Section 2. The bid shall support in detail the strategy to achieve the closed or no further remedial action status or remedial mass reduction goal if applicable. A full remedial action plan is not required as part of the bid submittal. A full remedial action plan may be requested by the program.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the program contact. If the program contact is not able to arrange site access, this fact will not delay the bid process or negate the comparison and potential selection from among the bids that are submitted. All costs associated with a site visit or preparation of a bid will be the responsibility of the bidder.

The Bid Process must conform to the following:

1. The closed remedial or no further action status to be achieved must be stated using the options available from the list provided in Section 4.
2. Indicate in the Bid Response a contaminant mass reduction proposal if the PECFA maximum award is not believed to be adequate to remediate the site/occurrence.
3. The Bid Response shall address all the site specific bid specification requirements identified in Section 2 and shall support in sufficient detail and succinctly the remedial strategy.
4. The total cost (in dollars) to accomplish the stated remedial goal, including all fees, reporting cost, pre and post closure costs and costs for establishing restrictions or institutional controls but, excluding interest and investigation costs.
5. The costs specified in #4 shall separately identify consulting (non-commodity) costs.
6. The submittal must include an original and two (2) copies of the Bid Response documents signed and sealed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. Include the appropriate registration number of the professional license.
7. Bids can not be "faxed" directly to the program. Documents received by fax will not be accepted or considered.
8. Bids, amendments thereto or withdrawal requests must be received by the time advertised for bid opening. It is the bidder's sole responsibility to insure that these documents are received by the contact at the time indicated in this solicitation document.
9. All specifications or descriptive papers provided with the bid submission must include the bidder's telephone number and Commerce number thereon. Identify the name of the consulting firm on the 1st Page of the Bid Response.
10. The Commerce Number must be on the outside of the envelope in which the bid is submitted. The Department assumes no responsibility for unmarked or improperly marked envelopes. All envelopes received showing a bid number will be placed directly under locked security until the date and time of opening. Include only one Bid Response (an original and two (2) copies) per envelope.
11. Correction of errors on the bid form: All prices and notations shall be printed in ink, typewritten or computer printed. Errors shall be crossed out, corrections entered and initialed by the person signing the bid. Erasures or use of correction fluid will be cause for rejection. No bid shall be altered or amended after the time specified for the bid end date.
12. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid Ending Date.
13. Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the Department with jurisdiction (Natural Resources or Commerce).

14. From the standpoint of program operations or regulatory responsibility, the Department determines it is in the best interest of the program to not accept any or all bids.
15. If bidders consider the bid response to be proprietary information and exempt from disclosure, each part of the Bid Response must clearly marked *CONFIDENTIAL*. If any part is designated as confidential, there must be attached to that part an explanation of how the information is proprietary. The Department reserves the right to determine whether this information should be exempt from disclosure and no legal action may be brought against the State, Department or its agents for its determination in this regard.
16. The Bid Response must be appropriate to the site geologic setting.
17. Ambiguous bids, which are uncertain as to cost, time or compliance with this solicitation, will be rejected.
18. The Department reserves the right to reject any and all bids, and/or to cancel this solicitation at any time.
19. Each bidder shall fully acquaint itself with conditions relating to the scope and restrictions attending the execution of the work under the conditions of this solicitation. The failure or omission of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
20. All amendments to and interpretations of this solicitation shall be in writing from the program contact. Neither the Department nor the program shall be legally bound by any amendment or interpretation that is not in writing.
21. This solicitation is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this solicitation to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The solicitation may or may not be changed but a review of such notification will be made prior to award.

BID RESPONSE
(1st Page)

Department of Commerce PECFA Program

COMMERCE NUMBER: 54848-1215-11

BRRTS NUMBER: 03-55-000408

Submit Bid To Diane Ploessl
Department of Commerce PECFA Program
201 W Washington Ave Madison WI or
PO Box 8044 Madison WI 53708-8044

Bidder Company: _____
Bidder Address: _____

Telephone () - _____
Number: _____
Fax Number: () - _____
e-mail Address: _____

Bidder: (check one that applies):

_____	Professional Engineer	_____	License #
_____	Professional Geologist	_____	License #
_____	Hydrologist	_____	License #
_____	Soil Scientist	_____	License #

Seal

Signature: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Print Name: _____

Title: _____

Total Cost Bid \$ _____

(subpart of total
Total Consulting Cost bid) \$ _____

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

BID RESPONSE
(2nd Page)

Department of Commerce PECFA Program

COMMERCE NUMBER: 54848-1215-11

BRRTS NUMBER: 03-55-000408

Consulting Firm phone number () ____-____

This response must address all of the site specific specifications identified in Section 2, and shall support in detail the remedial strategy. Attach additional pages if necessary. *The Commerce Number and Consulting Firm telephone number must be included on all additional pages.*